

ESTTA Tracking number: **ESTTA390758**

Filing date: **01/28/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91189023
Party	Plaintiff Whataburger Partnership
Correspondence Address	Christopher Kelly Wiley Rein LLP 1776 K St NW Washington, DC 20006 UNITED STATES ckelly@wileyrein.com
Submission	Plaintiff's Notice of Reliance
Filer's Name	Jennifer L. Elgin
Filer's e-mail	jelgin@wileyrein.com, bcarlton@wileyrein.com
Signature	/JLE/
Date	01/28/2011
Attachments	Notice_of_Reliance-1.pdf (96 pages)(8765328 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

WHATABURGER PARTNERSHIP)	
)	
Opposer,)	
)	Opp. No.: 91/189,023
v.)	Ser. No.: 77/494,179
)	Mark: WHATTA WING!
SARKIS AVAKIAN,)	
)	
Applicant.)	

Opposer's First Notice of Reliance

Pursuant to Rule 2.122(d) of the Trademark Rules of Practice, 37 C.F.R. § 2.122(d), Opposer WHATABURGER PARTNERSHIP, hereby gives notice of its reliance upon the attached printouts of the registrations cited in Opposer's Notice of Opposition, obtained from the USPTO's TARR (Trademark Application and Registration Retrieval) system. Where the TARR record has not been updated to show Opposer as the owner of record, Opposer has also attached the records from the <www.assignments.uspto.gov> database. These official records are considered self-authenticating, and as such, require no extrinsic evidence of authenticity as a condition to admissibility.

These materials are relevant to this opposition because, among other things, they demonstrate that Opposer has developed a strong family of WHATA formative marks, as shown by numerous incontestable registrations. The following TARR records are attached as Exhibits A-1 through A-19 hereto:

Exhibit A-1: Registration No. 652,137 – **WHATABURGER** for “hamburger sandwich,” registered on the Principal Register September 24, 1957.

Exhibit A-2: Registration No. 891,082 – **WHATABURGER** for “restaurant services and drive in restaurant services,” registered on the Principal Register May 12, 1970.

Exhibit A-3: Registration No. 1,011,927 – **WHATABURGER** for “hamburgers, cheeseburgers, french fried potatoes, fried pies, onion rings, malt and shake beverages, and frankfurter sandwiches” and “restaurant and drive-in restaurant services,” registered on the Principal Register on May 27, 1975.

Exhibit A-4: Registration No. 1,011,928 – **WHATABURGER & W Design** for “hamburgers, cheeseburgers, french fried potatoes, fried pies, onion rings, malt and shake beverages, and frankfurter sandwiches” and “restaurant and drive-in restaurant services,” registered on the Principal Register on May 27, 1975.

Exhibit A-5: Registration No. 1,014,196 – **WHATABURGER JR.** for “prepared hamburger sandwich for consumption on or off premises,” registered on the Principal Register on June 24, 1975.

Exhibit A-6: Registration No. 1,116,918 – **WHATAMEAL** for “prepared meal consisting of a hamburger sandwich, french fries and a beverage for consumption on or off the premises,” registered on the Principal Register April 24, 1979.

Exhibit A-7: Registration No. 1,206,344 – **WHATACATCH** for “breaded fish fillets suitable for fish sandwiches” and “prepared fish sandwich for consumption on or off the premises,” registered on the Principal Register August 24, 1982.

Exhibit A-8: Registration No. 2,160,285 – **WHATCHICK’N** for “chicken sandwich,” registered on the Principal Register May 26, 1998.

Exhibit A-9: Registration No. 2,335,590 – **WHATABURGER** for “restaurant services,” registered on the Principal Register March 28, 2000.

Exhibit A-10: Registration No. 2,372,372 – **WHATAKIDS** for “clothing for children, namely, shirts, polo shirts, t-shirts, dresses, overalls, onesies, baseball caps and hats,” registered on the Principal Register August 1, 2000.

Exhibit A-11: Registration No. 2,418,380 – **WHATAGUY** for “restaurant services,” registered on the Principal Register January 2, 2000.

Exhibit A-12: Registration No. 2,432,191 – **WHATAKIDS** for “restaurant services,” registered on the Principal Register February 27, 2001.

Exhibit A-13: Registration No. 2,519,854 – **WHATACOMIX** for “comic books and children’s activity books,” registered on the Principal Register December 18, 2001.

Exhibit A-14: Registration No. 2,534,527 – **WHATAPLACE!**
WHATATASTE! for “restaurant services,” registered on the Principal
Register January 29, 2002.

Exhibit A-15: Registration No. 2,757,109 – **WHATABURGER** for “charitable
fundraising services,” registered on the Principal Register August 26,
2003.

Exhibit A-16: Registration No. 2,846,139 – **WHATABLENDER** for “milk
shake drinks, bases for milk shake drinks and candy flavored toppings,”
registered on the Principal Register May 25, 2004.

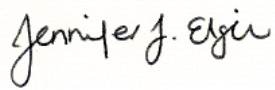
Exhibit A-17: Registration No. 3,185,230 – **WHATASIZE** for “restaurant
services featuring a prepared meal containing french fries and a soft drink
for consumption on or off the premises,” registered on the Principal
Register December 19, 2006.

Exhibit A-18: Registration No. 3,188,132 – **WHATABURGER FIELD** for
“providing stadium facilities for sporting events, exhibitions, conventions,
community festival events and concerts,” registered on the Principal
Register December 19, 2006.

Exhibit A-19: Registration No. 3,188,136 – **WHATABURGER FIELD &
Design** for “providing stadium facilities for sporting events, exhibitions,
conventions, community festival events and concerts,” registered on the
Principal Register December 19, 2006.

Respectfully submitted,

WHATABURGER PARTNERSHIP

By: 

Christopher Kelly
Jennifer L. Elgin
Wiley Rein LLP
1776 K Street, N.W.
Washington, D.C. 20006
(202) 719-7000

Attorneys for Whataburger Partnership

Dated: January 28, 2011

EXHIBIT A

EXHIBIT A-1

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-26 12:49:34 ET

Serial Number: 71667794 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 652137

Mark

WHATABURGER

(words only): WHATABURGER

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2009-02-06

Filing Date: 1954-06-07

Transformed into a National Application: No

Registration Date: 1957-09-24

Register: Principal

Law Office Assigned: (NOT AVAILABLE)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2009-02-06

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Whataburger Partnership

Address:

Whataburger Partnership
One Whataburger Way
CORPUS CHRISTI, TX 78411
United States
Legal Entity Type: Partnership
State or Country Where Organized: Texas

GOODS AND/OR SERVICES

U.S. Class: 046 (International Class 030)
Class Status: Active
HAMBURGER SANDWICH
Basis: 1(a)
First Use Date: 1950-01-01
First Use in Commerce Date: 1953-02-10

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2009-02-06 - Third renewal 10 year
2009-02-06 - Section 8 (10-year) accepted/ Section 9 granted
2009-02-06 - Assigned To Paralegal
2008-02-06 - Case File In TICRS
2007-10-24 - Assignment Of Ownership Not Updated Automatically
2007-09-19 - TEAS Section 8 & 9 Received
1997-06-18 - Second renewal 10 year
1997-05-09 - Section 9 filed/check record for Section 8
1977-09-24 - First renewal

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Christopher Kelly

Correspondent

Christopher Kelly

Wiley Rein LLP

1776 K Street, N.W.

Washington DC 20006

Phone Number: 202-719-7000

EXHIBIT A-2

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-26 12:51:52 ET

Serial Number: 72291496 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 891082

Mark

WHATABURGER

(words only): WHATABURGER

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2010-05-18

Filing Date: 1968-02-20

Transformed into a National Application: No

Registration Date: 1970-05-12

Register: Principal

Law Office Assigned: (NOT AVAILABLE)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: (NOT AVAILABLE)

Date In Location: 2010-05-18

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. WHATABURGER PARTNERSHIP

Address:

WHATABURGER PARTNERSHIP
300 Concord Plaza Drive
San Antonio, TX 78216
United States
Legal Entity Type: Partnership
State or Country Where Organized: Texas

GOODS AND/OR SERVICES

U.S. Class: 100 (International Class 042)
Class Status: Active
RESTAURANT SERVICES AND DRIVE IN RESTAURANT SERVICES
Basis: 1(a)
First Use Date: 1950-01-01
First Use in Commerce Date: 1953-02-10

ADDITIONAL INFORMATION

Prior Registration Number(s):
652137

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2010-05-18 - Third renewal 10 year
2010-05-18 - Section 8 (10-year) accepted/ Section 9 granted
2010-05-12 - Case Assigned To Post Registration Paralegal
2010-05-07 - TEAS Section 8 & 9 Received
2008-11-19 - Case File In TIGRS
2007-10-24 - Assignment Of Ownership Not Updated Automatically
2001-04-17 - Second renewal 10 year
2001-04-17 - Section 8 (10-year) accepted/ Section 9 granted
2001-01-11 - Response received to Post Registration action - Sections 8 & 9

2000-12-11 - Post Registration action mailed Sections 8 & 9

2000-04-14 - Combined Section 8 (10-year)/Section 9 filed

1990-02-15 - First renewal 10 year

1989-12-26 - Section 9 filed/check record for Section 8

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Christopher Kelly

Correspondent

Christopher Kelly

WILEY REIN LLP

Trademark Administration

1776 K Street, N.W.

Washington DC 20006

Phone Number: 202-719-7000

Fax Number: 202-719-7049

EXHIBIT A-3

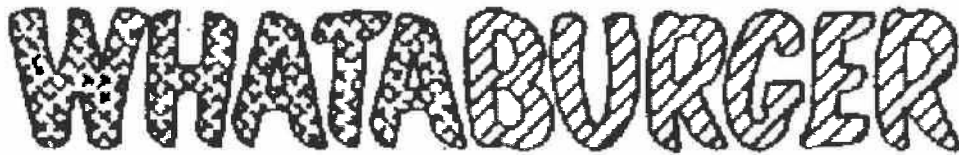
Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-26 12:52:38 ET

Serial Number: 72442464 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 1011927

Mark



(words only): WHATABURGER

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2005-10-31

Filing Date: 1972-11-29

Transformed into a National Application: No

Registration Date: 1975-05-27

Register: Principal

Law Office Assigned: (NOT AVAILABLE)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2005-10-31

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. WHATAPARTNERSHIP, L.P.

Address:

WHATAPARTNERSHIP, L.P.
300 DELAWARE AVENUE SUITE 900
WILMINGTON, DE 19801

United States

Legal Entity Type: Limited Partnership

State or Country Where Organized: Delaware

GOODS AND/OR SERVICES

U.S. Class: 045 (International Class 032)

Class Status: Active

SOFT DRINKS

Basis: 1(a)

First Use Date: 1972-07-18

First Use in Commerce Date: 1972-07-28

U.S. Class: 046 (International Class 029, 030)

Class Status: Active

HAMBURGERS, CHEESEBURGERS, FRENCH FRIED POTATOES, FRIED PIES, ONION RINGS, MALT AND SHAKE BEVERAGES, AND FRANKFURTER SANDWICHES

Basis: 1(a)

First Use Date: 1972-07-18

First Use in Commerce Date: 1972-07-28

U.S. Class: 100 (International Class 042)

Class Status: Active

RESTAURANT AND DRIVE-IN RESTAURANT SERVICES

Basis: 1(a)

First Use Date: 1972-07-18

First Use in Commerce Date: 1972-07-28

ADDITIONAL INFORMATION

Lining and Stippling: THE DRAWING IS LINED FOR THE COLORS ORANGE AND BROWN, BUT COLOR IS NOT CLAIMED AS A FEATURE OF THE MARK.

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2007-10-24 - Assignment Of Ownership Not Updated Automatically

2005-10-31 - Second renewal 10 year

2005-10-31 - Section 8 (10-year) accepted/ Section 9 granted

2005-07-15 - Post Registration action mailed Sections 8 & 9

2005-07-15 - PAPER RECEIVED

2005-03-04 - Post Registration action mailed Sections 8 & 9

2004-11-23 - Combined Section 8 (10-year)/Section 9 filed

2004-11-23 - PAPER RECEIVED

1996-05-22 - First renewal 10 year

1996-02-23 - Section 7 amendment issued

1995-07-31 - Response received for Post Registration action

1995-07-16 - Post Registration action mailed - Section 7

1980-07-18 - Section 7 amendment filed

1995-05-17 - Section 9 filed/check record for Section 8

1980-10-27 - Section 8 (6-year) accepted & Section 15 acknowledged

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

CHRISTOPHER KELLY

Correspondent

CHRISTOPHER KELLY

WILEY REIN & FIELDING LLP

1776 K STREET, N. W.

WASHINGTON, D. C. 20006



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Trademark Assignment Abstract of Title

Total Assignments: 9

Serial #: 72442464

Filing Dt: 11/29/1972

Reg #: 1011927

Reg. Dt: 05/27/1975

Registrant: WHATABURGER, INC.

Mark: WHATABURGER

Assignment: 1

Reel/Frame: 0255/0167

Received:

Recorded: 07/30/1974

Pages: 2

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

Assignor: WHATABURGER, INC.

Exec Dt: 07/12/1974

Entity Type: CORPORATION

Citizenship: TEXAS

Entity Type: UNKNOWN

Citizenship: NONE

Assignee: LUTZ, GRACE DOBSONDBA/AKA/TA: AKA GRACE W. DOBSON
COURPUS CHRISTI, TEXASCorrespondent: CARL B. FOX, JR.
10 HEDWIG CIRCLE
HOUSTON, TX 77024

Assignment: 2

Reel/Frame: 0260/0223

Received:

Recorded: 11/11/1974

Pages: 17

Conveyance: CERTIFIED COPY OF MERGER FILED IN THE OFFICE OF THE SECRETARY OF STATE, TEXAS, SHOWING MERGER OF ASSIGNORS ON OCT. 1, 1973, EFFECTIVE SEPT. 30, 1973 AND CHANGE OF NAME OF THE SURVIVING CORPORATION ON OCT. 19, 1973.

Assignors: WHATABURGER #1, INC., -INTO-

Exec Dt: 10/16/1974

Entity Type: CORPORATION

Citizenship: TEXAS

Exec Dt: 00/00/0000

Entity Type: CORPORATION

Citizenship: TEXAS

Exec Dt: 00/00/0000

Entity Type: CORPORATION

Citizenship: TEXAS

Entity Type: CORPORATION

Citizenship: TEXAS

Entity Type: UNKNOWN

Citizenship: NONE

DOBSON CORPORATION, -CHANGED TO-DOBSON CORPORATIONAssignees: DOBSON CORPORATIONWHATABURGER, INC.Correspondent: CARL B. FOX, JR.
10 HEDWIG CIRCLE
HOUSTON, TX 77024

Assignment: 3

Reel/Frame: 0308/0241

Received:

Recorded: 05/31/1977

Pages: 2

Conveyance: CHANGE OF NAME

Assignor: LUTZ, GRACE DOBSON

Exec Dt: 04/27/1977

Entity Type: UNKNOWN

Citizenship: NONE

Assignee: DOBSON, GRACE W.
3104 SOUTH ALAMEDA

Entity Type: UNKNOWN

Citizenship: NONE

CORPUS CHRISTI, TEXAS 78404

Correspondent: WOOD, BOYKIN & WOLTER
2000 BANK & TRUST TOWER
2000 BANK & TRUST TOWER
CORPUS CHRISTI, TX 78477

Assignment: 4

Reel/Frame: 0316/0009 **Received:** **Recorded:** 10/03/1977 **Pages:** 2

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

Assignor: DOBSON, GRACE W.

Exec Dt: 09/30/1977

Entity Type: UNKNOWN

Citizenship: NONE

Entity Type: CORPORATION

Citizenship: TEXAS

Assignee: WHATABURGER SYSTEMS, INC.
3104 SOUTH ALAMEDA
CORPUS CHRISTI, TEXAS 78404

Correspondent: WOOD, BOYKIN & WOLTER
2000 BANK & TRUST TOWER
2000 BANK & TRUST TOWER
B & T 249
CORPUS CHRISTI, TX 78477

Assignment: 5

Reel/Frame: 0474/0508 **Received:** **Recorded:** 08/22/1984 **Pages:** 18

Conveyance: MERGER

Assignor: WHATABURGER SYSTEMS, INC.

Exec Dt: 07/11/1984

Entity Type: UNKNOWN

Citizenship: NONE

Entity Type: UNKNOWN

Citizenship: NONE

Assignee: WHATABURGER, INC.

Correspondent: WOOD, BOYKIN, WOLTER ET AL.
2000 FIRST CITY BANK TOWER
2000 FIRST CITY BANK TOWER
CORPUS CHRISTI, TX 78477

Assignment: 6

Reel/Frame: 2220/0291 **Received:** 01/26/2001 **Recorded:** 01/11/2001 **Pages:** 9

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: WHATABURGER, INC.

Exec Dt: 06/01/1999

Entity Type: CORPORATION

Citizenship: TEXAS

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: W.T.C. HOLDINGS, INC.
300 DELAWARE AVENUE, 9TH FLOOR-DE5403
WILMINGTON, DELAWARE 19801

Correspondent: COX & SMITH INCORPORATED
COURTENAY B. ALLEN
112 EAST PECAN STREET, SUITE 1800
SAN ANTONIO, TX 78205

Assignment: 7

Reel/Frame: 2220/0361 **Received:** 01/26/2001 **Recorded:** 01/11/2001 **Pages:** 9

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: WTC HOLDINGS, INC.

Exec Dt: 06/01/1999

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: LIMITED PARTNERSHIP

Citizenship: DELAWARE

Assignee: WHATAPARTNERSHIP, L.P.
9TH FLOOR-DE 5403
300 DELAWARE AVENUE
WILMINGTON, DELAWARE 19801

Correspondent: COX & SMITH INCORPORATED
COURTENAY B. ALLEN
112 E. PECAN ST., STE 1800
SAN ANTONIO, TX 78205

Assignment: 8**Reel/Frame:** 3641/0056**Received:** 10/16/2007**Recorded:** 10/16/2007**Pages:** 6**Conveyance:** MERGER**Assignor:** WHATAPARTNERSHIP, L.P.**Exec Dt:** 09/22/2006**Entity Type:** LIMITED PARTNERSHIP**Citizenship:** DELAWARE**Entity Type:** CORPORATION**Citizenship:** TEXAS**Assignee:** WHATABURGER, INC.ONE WHATABURGER WAY
CORPUS CHRISTI, TEXAS 78411

Correspondent: WILEY REIN LLP/CHRISTOPHER KELLY
1776 K STREET, N.W.
TRADEMARK ADMINISTRATION
WASHINGTON, DC 20006

Assignment: 9**Reel/Frame:** 3641/0141**Received:** 10/16/2007**Recorded:** 10/16/2007**Pages:** 14**Conveyance:** MERGER**Assignor:** WHATABURGER, INC.**Exec Dt:** 09/22/2006**Entity Type:** CORPORATION**Citizenship:** TEXAS**Entity Type:** PARTNERSHIP**Citizenship:** TEXAS**Assignee:** WHATABURGER PARTNERSHIPONE WHATABURGER WAY
CORPUS CHRISTI, TEXAS 78411

Correspondent: WILEY REIN LLP/CHRISTOPHER KELLY
1776 K STREET, N.W.
TRADEMARK ADMINISTRATION
WASHINGTON, DC 20006

Search Results as of: 01/26/2011 12:53 PM

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v.2.1
Web interface last modified: Apr 30, 2009 v.2.1

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EXHIBIT A-4

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-26 12:57:26 ET

Serial Number: 72442465 Assignment Information Trademark Document Retrieval

Registration Number: 1011928

Mark



(words only): W WHATABURGER

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2005-07-22

Filing Date: 1972-11-29

Transformed into a National Application: No

Registration Date: 1975-05-27

Register: Principal

Law Office Assigned: (NOT AVAILABLE)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2005-07-22

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. W.T.C. HOLDINGS, INC.

Address:

W.T.C. HOLDINGS, INC.
300 DELAWARE AVENUE, 9TH FLOOR-DE5403
WILMINGTON, DE 19801
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

U.S. Class: 045 (International Class 032)

Class Status: Active

SOFT DRINKS

Basis: 1(a)

First Use Date: 1972-07-18

First Use in Commerce Date: 1972-07-28

U.S. Class: 046 (International Class 029, 030)

Class Status: Active

HAMBURGERS, CHEESEBURGERS, FRENCH FRIED POTATOES, FRIED PIES, ONION RINGS, MALT AND SHAKE BEVERAGES, AND FRANKFURTER SANDWICHES

Basis: 1(a)

First Use Date: 1972-07-18

First Use in Commerce Date: 1972-07-28

U.S. Class: 100 (International Class 042)

Class Status: Active

RESTAURANT AND DRIVE-IN RESTAURANT SERVICES

Basis: 1(a)

First Use Date: 1972-07-28

First Use in Commerce Date: 1972-07-28

ADDITIONAL INFORMATION

Lining and Stippling: THE DRAWING IS LINED FOR THE COLORS ORANGE AND BROWN, BUT COLOR IS NOT CLAIMED AS A FEATURE OF THE MARK.

Design Search Code(s):

26.17.10 - Lines, zig-zag; Zig-zag line(s)

27.03.01 - Geometric figures forming letters, numerals or punctuation

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2007-10-24 - Assignment Of Ownership Not Updated Automatically
2005-07-22 - Second renewal 10 year
2005-07-22 - Section 8 (10-year) accepted/ Section 9 granted
2005-06-23 - Response received to Post Registration action - Sections 8 & 9
2005-06-23 - PAPER RECEIVED
2004-12-23 - Post Registration action mailed Sections 8 & 9
2004-11-23 - Combined Section 8 (10-year)/Section 9 filed
2004-11-23 - PAPER RECEIVED
1996-01-22 - Second renewal 10 year
1995-08-03 - Section 7 amendment issued
1995-05-17 - Section 9 filed/check record for Section 8
1980-09-30 - Section 8 (6-year) accepted & Section 15 acknowledged

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

CHRISTOPHER KELLY

Correspondent

CHRISTOPHER KELLY
WILEY REIN & FIELDING LLP
1776 K STREET NW
WASHINGTON, DC 20006



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Trademark Assignment Abstract of Title

Total Assignments: 9

Serial #: [72442465](#)

Filing Dt: 11/29/1972

Reg #: [1011928](#)

Reg. Dt: 05/27/1975

Registrant: LUTZ , GRACE DOBSON

Mark: W WHATABURGER

Assignment: 1

Reel/Frame: [0255/0167](#)

Received:

Recorded: 07/30/1974

Pages: 2

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

Assignor: [WHATABURGER, INC.](#)

Exec Dt: 07/12/1974

Entity Type: CORPORATION

Citizenship: TEXAS

Entity Type: UNKNOWN

Citizenship: NONE

Assignee: [LUTZ, GRACE DOBSON](#)DBA/AKA/TA: AKA GRACE W. DOBSON
COURPUS CHRISTI, TEXASCorrespondent: CARL B. FOX, JR.
10 HEDWIG CIRCLE
HOUSTON, TX 77024

Assignment: 2

Reel/Frame: [0260/0223](#)

Received:

Recorded: 11/11/1974

Pages: 17

Conveyance: CERTIFIED COPY OF MERGER FILED IN THE OFFICE OF THE SECRETARY OF STATE, TEXAS, SHOWING MERGER OF ASSIGNORS ON OCT. 1, 1973, EFFECTIVE SEPT. 30, 1973 AND CHANGE OF NAME OF THE SURVIVING CORPORATION ON OCT. 19, 1973.

Assignors: [WHATABURGER #1, INC., -INTO-](#)

Exec Dt: 10/16/1974

Entity Type: CORPORATION

Citizenship: TEXAS

Exec Dt: 00/00/0000

Entity Type: CORPORATION

Citizenship: TEXAS

Exec Dt: 00/00/0000

Entity Type: CORPORATION

Citizenship: TEXAS

Entity Type: CORPORATION

Citizenship: TEXAS

Entity Type: UNKNOWN

Citizenship: NONE

[DOBSON CORPORATION, -CHANGED TO-](#)[DOBSON CORPORATION](#)Assignees: [DOBSON CORPORATION](#)[WHATABURGER, INC.](#)Correspondent: CARL B. FOX, JR.
10 HEDWIG CIRCLE
HOUSTON, TX 77024

Assignment: 3

Reel/Frame: [0308/0241](#)

Received:

Recorded: 05/31/1977

Pages: 2

Conveyance: CHANGE OF NAME

Assignor: [LUTZ, GRACE DOBSON](#)

Exec Dt: 04/27/1977

Entity Type: UNKNOWN

Citizenship: NONE

Assignee: [DOBSON, GRACE W.](#)
3104 SOUTH ALAMEDA

Entity Type: UNKNOWN

Citizenship: NONE

CORPUS CHRISTI, TEXAS 78404

Correspondent: WOOD, BOYKIN & WOLTER
2000 BANK & TRUST TOWER
2000 BANK & TRUST TOWER
CORPUS CHRISTI, TX 78477

Assignment: 4

Reel/Frame: 0316/0009

Received:

Recorded: 10/03/1977

Pages: 2

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

Assignor: DOBSON, GRACE W.

Exec Dt: 09/30/1977

Entity Type: UNKNOWN

Citizenship: NONE

Entity Type: CORPORATION

Citizenship: TEXAS

Assignee: WHATABURGER SYSTEMS, INC.
3104 SOUTH ALAMEDA
CORPUS CHRISTI, TEXAS 78404

Correspondent: WOOD, BOYKIN & WOLTER
2000 BANK & TRUST TOWER
2000 BANK & TRUST TOWER
B & T 249
CORPUS CHRISTI, TX 78477

Assignment: 5

Reel/Frame: 0474/0508

Received:

Recorded: 08/22/1984

Pages: 18

Conveyance: MERGER

Assignor: WHATABURGER SYSTEMS, INC.

Exec Dt: 07/11/1984

Entity Type: UNKNOWN

Citizenship: NONE

Entity Type: UNKNOWN

Citizenship: NONE

Assignee: WHATABURGER, INC.

Correspondent: WOOD, BOYKIN, WOLTER ET AL.
2000 FIRST CITY BANK TOWER
2000 FIRST CITY BANK TOWER
CORPUS CHRISTI, TX 78477

Assignment: 6

Reel/Frame: 2220/0291

Received: 01/26/2001

Recorded: 01/11/2001

Pages: 9

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: WHATABURGER, INC.

Exec Dt: 06/01/1999

Entity Type: CORPORATION

Citizenship: TEXAS

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: W.T.C. HOLDINGS, INC.
300 DELAWARE AVENUE, 9TH FLOOR-DE5403
WILMINGTON, DELAWARE 19801

Correspondent: COX & SMITH INCORPORATED
COURTENAY B. ALLEN
112 EAST PECAN STREET, SUITE 1800
SAN ANTONIO, TX 78205

Assignment: 7

Reel/Frame: 2220/0361

Received: 01/26/2001

Recorded: 01/11/2001

Pages: 9

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: WTC HOLDINGS, INC.

Exec Dt: 06/01/1999

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: LIMITED PARTNERSHIP

Citizenship: DELAWARE

Assignee: WHATAPARTNERSHIP, L.P.
9TH FLOOR-DE 5403
300 DELAWARE AVENUE
WILMINGTON, DELAWARE 19801

Correspondent: COX & SMITH INCORPORATED
COURTENAY B. ALLEN
112 E. PECAN ST., STE 1800
SAN ANTONIO, TX 78205

Assignment: 8**Reel/Frame:** 3641/0056**Received:** 10/16/2007**Recorded:** 10/16/2007**Pages:** 6**Conveyance:** MERGER**Assignor:** WHATAPARTNERSHIP, L.P.**Exec Dt:** 09/22/2006**Entity Type:** LIMITED PARTNERSHIP**Citizenship:** DELAWARE**Entity Type:** CORPORATION**Citizenship:** TEXAS

Assignee: WHATABURGER, INC.
ONE WHATABURGER WAY
CORPUS CHRISTI, TEXAS 78411

Correspondent: WILEY REIN LLP/CHRISTOPHER KELLY
1776 K STREET, N.W.
TRADEMARK ADMINISTRATION
WASHINGTON, DC 20006

Assignment: 9**Reel/Frame:** 3641/0141**Received:** 10/16/2007**Recorded:** 10/16/2007**Pages:** 14**Conveyance:** MERGER**Assignor:** WHATABURGER, INC.**Exec Dt:** 09/22/2006**Entity Type:** CORPORATION**Citizenship:** TEXAS**Entity Type:** PARTNERSHIP**Citizenship:** TEXAS

Assignee: WHATABURGER PARTNERSHIP
ONE WHATABURGER WAY
CORPUS CHRISTI, TEXAS 78411

Correspondent: WILEY REIN LLP/CHRISTOPHER KELLY
1776 K STREET, N.W.
TRADEMARK ADMINISTRATION
WASHINGTON, DC 20006

Search Results as of: 01/26/2011 12:58 PM

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v.2.1
Web interface last modified: Apr 30, 2009 v.2.1

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EXHIBIT A-5

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-26 12:58:55 ET

Serial Number: 73007283 Assignment Information Trademark Document Retrieval

Registration Number: 1014196

Mark (words only): WHATABURGER JR.

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2005-11-01

Filing Date: 1973-11-26

Transformed into a National Application: No

Registration Date: 1975-06-24

Register: Principal

Law Office Assigned: (NOT AVAILABLE)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2007-10-29

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. WHATABURGER, INC.

Address:

WHATABURGER, INC.
4600 PARKDALE DRIVE
CORPUS CHRISTI, TX 78411
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Texas

GOODS AND/OR SERVICES

International Class: 029

Class Status: Active

PREPARED HAMBURGER SANDWICH FOR CONSUMPTION ON OR OFF THE PREMISES

Basis: 1(a)

First Use Date: 1973-04-01

First Use in Commerce Date: 1973-08-29

ADDITIONAL INFORMATION

Prior Registration Number(s):

652137

891082

963811

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2009-02-25 - Attorney Revoked And/Or Appointed

2009-02-25 - TEAS Revoke/Appoint Attorney Received

2009-02-24 - TEAS Change Of Correspondence Received

2007-10-29 - Case File In TICRS

2007-10-24 - Assignment Of Ownership Not Updated Automatically

2005-11-01 - Second renewal 10 year

2005-11-01 - Section 8 (10-year) accepted/ Section 9 granted

2005-10-11 - Assigned To Paralegal

2005-09-07 - Combined Section 8 (10-year)/Section 9 filed

2005-09-07 - PAPER RECEIVED

1995-06-29 - First renewal 10 year

1995-05-11 - Section 9 filed/check record for Section 8

1980-11-03 - Section 8 (6-year) accepted & Section 15 acknowledged

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Christopher Kelly

Correspondent

Christopher Kelly

Wiley Rein LLP

Trademark Administration

1776 K Street N.W.

Washington, DC 20006

Phone Number: 202.719.7000

Fax Number: 202.719.7115



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Trademark Assignment Abstract of Title

Total Assignments: 7**Serial #:** [73007283](#)**Filing Dt:** 11/26/1973**Reg #:** [1014196](#)**Reg. Dt:** 06/24/1975**Registrant:** LUTZ, GRACE DOBSON**Mark:** WHATABURGER JR.**Assignment: 1****Reel/Frame:** [0308/0241](#)**Received:****Recorded:** 05/31/1977**Pages:** 2**Conveyance:** CHANGE OF NAME**Assignor:** [LUTZ, GRACE DOBSON](#)**Exec Dt:** 04/27/1977**Entity Type:** UNKNOWN**Citizenship:** NONE**Entity Type:** UNKNOWN**Citizenship:** NONE**Assignee:** [DOBSON, GRACE W.](#)3104 SOUTH ALAMEDA
CORPUS CHRISTI, TEXAS 78404**Correspondent:** WOOD, BOYKIN & WOLTER
2000 BANK & TRUST TOWER
2000 BANK & TRUST TOWER
CORPUS CHRISTI, TX 78477**Assignment: 2****Reel/Frame:** [0316/0009](#)**Received:****Recorded:** 10/03/1977**Pages:** 2**Conveyance:** ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL**Assignor:** [DOBSON, GRACE W.](#)**Exec Dt:** 09/30/1977**Entity Type:** UNKNOWN**Citizenship:** NONE**Entity Type:** CORPORATION**Citizenship:** TEXAS**Assignee:** [WHATABURGER SYSTEMS, INC.](#)3104 SOUTH ALAMEDA
CORPUS CHRISTI, TEXAS 78404**Correspondent:** WOOD, BOYKIN & WOLTER
2000 BANK & TRUST TOWER
2000 BANK & TRUST TOWER
B & T 249
CORPUS CHRISTI, TX 78477**Assignment: 3****Reel/Frame:** [0474/0508](#)**Received:****Recorded:** 08/22/1984**Pages:** 18**Conveyance:** MERGER**Assignor:** [WHATABURGER SYSTEMS, INC.](#)**Exec Dt:** 07/11/1984**Entity Type:** UNKNOWN**Citizenship:** NONE**Entity Type:** UNKNOWN**Citizenship:** NONE**Assignee:** [WHATABURGER, INC.](#)**Correspondent:** WOOD, BOYKIN, WOLTER ET AL.
2000 FIRST CITY BANK TOWER
2000 FIRST CITY BANK TOWER
CORPUS CHRISTI, TX 78477**Assignment: 4****Reel/Frame:** [2220/0291](#)**Received:** 01/26/2001**Recorded:** 01/11/2001**Pages:** 9

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: WHATABURGER, INC.

Exec Dt: 06/01/1999

Entity Type: CORPORATION

Citizenship: TEXAS

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: W.T.C. HOLDINGS, INC.

300 DELAWARE AVENUE, 9TH FLOOR-DE5403

WILMINGTON, DELAWARE 19801

Correspondent: COX & SMITH INCORPORATED

COURTENAY B. ALLEN

112 EAST PECAN STREET, SUITE 1800

SAN ANTONIO, TX 78205

Assignment: 5

Reel/Frame: 2220/0361

Received: 01/26/2001

Recorded: 01/11/2001

Pages: 9

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: WTC HOLDINGS, INC.

Exec Dt: 06/01/1999

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: LIMITED PARTNERSHIP

Citizenship: DELAWARE

Assignee: WHATAPARTNERSHIP, L.P.

9TH FLOOR-DE 5403

300 DELAWARE AVENUE

WILMINGTON, DELAWARE 19801

Correspondent: COX & SMITH INCORPORATED

COURTENAY B. ALLEN

112 E. PECAN ST., STE 1800

SAN ANTONIO, TX 78205

Assignment: 6

Reel/Frame: 3641/0056

Received: 10/16/2007

Recorded: 10/16/2007

Pages: 6

Conveyance: MERGER

Assignor: WHATAPARTNERSHIP, L.P.

Exec Dt: 09/22/2006

Entity Type: LIMITED PARTNERSHIP

Citizenship: DELAWARE

Entity Type: CORPORATION

Citizenship: TEXAS

Assignee: WHATABURGER, INC.

ONE WHATABURGER WAY

CORPUS CHRISTI, TEXAS 78411

Correspondent: WILEY REIN LLP/CHRISTOPHER KELLY

1776 K STREET, N.W.

TRADEMARK ADMINISTRATION

WASHINGTON, DC 20006

Assignment: 7

Reel/Frame: 3641/0141

Received: 10/16/2007

Recorded: 10/16/2007

Pages: 14

Conveyance: MERGER

Assignor: WHATABURGER, INC.

Exec Dt: 09/22/2006

Entity Type: CORPORATION

Citizenship: TEXAS

Entity Type: PARTNERSHIP

Citizenship: TEXAS

Assignee: WHATABURGER PARTNERSHIP

ONE WHATABURGER WAY

CORPUS CHRISTI, TEXAS 78411

Correspondent: WILEY REIN LLP/CHRISTOPHER KELLY

1776 K STREET, N.W.

TRADEMARK ADMINISTRATION

WASHINGTON, DC 20006

Search Results as of: 01/26/2011 12:59 PM

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350, v.2.1

Web interface last modified: Apr 30, 2009 v.2.1

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EXHIBIT A-6

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-26 13:00:03 ET

Serial Number: 73155977 Assignment Information Trademark Document Retrieval

Registration Number: 1116918

Mark (words only): WHATAMEAL

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2009-03-12

Filing Date: 1978-01-20

Transformed into a National Application: No

Registration Date: 1979-04-24

Register: Principal

Law Office Assigned: (NOT AVAILABLE)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2009-03-12

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Whataburger Partnership

Address:

Whataburger Partnership
One Whataburger Way
CORPUS CHRISTI, TX 78411
United States

Legal Entity Type: Partnership

State or Country Where Organized: Texas

GOODS AND/OR SERVICES

International Class: 030

Class Status: Active

PREPARED MEAL CONSISTING OF A HAMBURGER SANDWICH, FRENCH FRIES AND A BEVERAGE FOR CONSUMPTION ON OR OFF THE PREMISES

Basis: 1(a)

First Use Date: 1975-07-01

First Use in Commerce Date: 1975-07-01

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2009-03-12 - Second renewal 10 year

2009-03-12 - Section 8 (10-year) accepted/ Section 9 granted

2009-03-03 - Assigned To Paralegal

2009-02-25 - TEAS Section 8 & 9 Received

2008-01-17 - Case File In TICRS

2007-10-24 - Assignment Of Ownership Not Updated Automatically

1999-02-19 - First renewal 10 year

1999-01-05 - Section 9 filed/check record for Section 8

1985-09-04 - Section 8 (6-year) accepted & Section 15 acknowledged

1985-04-22 - Section 8 (6-year) and Section 15 Filed

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Christohper Kelly

Correspondent

Christohper Kelly
Wiley Rein LLP
1776 K Street, N.W.
Washington DC 20006
Phone Number: 202-719-7000
Fax Number: 202-719-7049

EXHIBIT A-7

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-26 13:01:03 ET

Serial Number: 73226971 Assignment Information Trademark Document Retrieval

Registration Number: 1206344

Mark (words only): WHATACATCH

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2002-11-20

Filing Date: 1979-08-10

Transformed into a National Application: No

Registration Date: 1982-08-24

Register: Principal

Law Office Assigned: (NOT AVAILABLE)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2008-03-27

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. WHATAPARTNERSHIP, L.P.

Address:

WHATAPARTNERSHIP, L.P.
300 DELAWARE AVENUE, SUITE 900
WILMINGTON, DE 19801
United States

Legal Entity Type: Limited Partnership

State or Country Where Organized: Delaware

GOODS AND/OR SERVICES

International Class: 029**Class Status:** Active

Breaded Fish Fillets Suitable for Fish Sandwiches

Basis: 1(a)**First Use Date:** 1978-10-14**First Use in Commerce Date:** 1979-04-01**International Class: 030****Class Status:** Active

Prepared Fish Sandwich for Consumption On or Off the Premises

Basis: 1(a)**First Use Date:** 1978-10-14**First Use in Commerce Date:** 1979-04-01

ADDITIONAL INFORMATION**Prior Registration Number(s):**

1011928

6521370

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2008-03-27 - Case File In TICRS

2007-10-24 - Assignment Of Ownership Not Updated Automatically

2002-11-20 - First renewal 10 year

2002-11-20 - Section 8 (10-year) accepted/ Section 9 granted

2002-08-21 - Combined Section 8 (10-year)/Section 9 filed

2002-08-21 - PAPER RECEIVED

1988-10-27 - Section 8 (6-year) accepted & Section 15 acknowledged

1988-08-12 - Section 8 (6-year) and Section 15 Filed

1982-08-24 - Registered - Principal Register

1982-06-01 - Published for opposition

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

J. TIMOTHY HOBBS

Correspondent

J. TIMOTHY HOBBS
WILEY REIN & FIELDING LLP
1776 K STREET, N.W.
WASHINGTON, D.C. 20006



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Trademark Assignment Abstract of Title

Total Assignments: 5

Serial #: [73226971](#)

Filing Dt: 08/10/1979

Reg #: [1206344](#)

Reg. Dt: 08/24/1982

Registrant: Whataburger Systems, Inc.

Mark: WHATACATCH

Assignment: 1

Reel/Frame: [0474/0508](#)

Received:

Recorded: 08/22/1984

Pages: 18

Conveyance: MERGER

Assignor: [WHATABURGER SYSTEMS, INC.](#)

Exec Dt: 07/11/1984

Entity Type: UNKNOWN

Citizenship: NONE

Entity Type: UNKNOWN

Citizenship: NONE

Assignee: [WHATABURGER, INC.](#)

Correspondent: WOOD, BOYKIN, WOLTER ET AL.
2000 FIRST CITY BANK TOWER
2000 FIRST CITY BANK TOWER
CORPUS CHRISTI, TX 78477

Assignment: 2

Reel/Frame: [2220/0291](#)

Received: 01/26/2001

Recorded: 01/11/2001

Pages: 9

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: [WHATABURGER, INC.](#)

Exec Dt: 06/01/1999

Entity Type: CORPORATION

Citizenship: TEXAS

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [W.T.C. HOLDINGS, INC.](#)
300 DELAWARE AVENUE, 9TH FLOOR-DE5403
WILMINGTON, DELAWARE 19801

Correspondent: COX & SMITH INCORPORATED
COURTENAY B. ALLEN
112 EAST PECAN STREET, SUITE 1800
SAN ANTONIO, TX 78205

Assignment: 3

Reel/Frame: [2220/0361](#)

Received: 01/26/2001

Recorded: 01/11/2001

Pages: 9

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: [WTC HOLDINGS, INC.](#)

Exec Dt: 06/01/1999

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: LIMITED PARTNERSHIP

Citizenship: DELAWARE

Assignee: [WHATAPARTNERSHIP, L.P.](#)
9TH FLOOR-DE 5403
300 DELAWARE AVENUE
WILMINGTON, DELAWARE 19801

Correspondent: COX & SMITH INCORPORATED
COURTENAY B. ALLEN
112 E. PECAN ST., STE 1800
SAN ANTONIO, TX 78205

Assignment: 4

Reel/Frame: [3641/0056](#)

Received: 10/16/2007

Recorded: 10/16/2007

Pages: 6

Conveyance: MERGER

Assignor: WHATAPARTNERSHIP, L.P.

Assignee: WHATABURGER, INC.

ONE WHATABURGER WAY
CORPUS CHRISTI, TEXAS 78411

Correspondent: WILEY REIN LLP/CHRISTOPHER KELLY
1776 K STREET, N.W.
TRADEMARK ADMINISTRATION
WASHINGTON, DC 20006

Exec Dt: 09/22/2006

Entity Type: LIMITED PARTNERSHIP

Citizenship: DELAWARE

Entity Type: CORPORATION

Citizenship: TEXAS

Assignment: 5

Reel/Frame: 3641/0141

Received: 10/16/2007

Recorded: 10/16/2007

Pages: 14

Conveyance: MERGER

Assignor: WHATABURGER, INC.

Exec Dt: 09/22/2006

Entity Type: CORPORATION

Citizenship: TEXAS

Entity Type: PARTNERSHIP

Citizenship: TEXAS

Assignee: WHATABURGER PARTNERSHIP

ONE WHATABURGER WAY
CORPUS CHRISTI, TEXAS 78411

Correspondent: WILEY REIN LLP/CHRISTOPHER KELLY
1776 K STREET, N.W.
TRADEMARK ADMINISTRATION
WASHINGTON, DC 20006

Search Results as of: 01/26/2011 01:01 PM

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v.2.1
Web interface last modified: Apr 30, 2009 v.2.1

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EXHIBIT A-8

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-26 13:02:06 ET

Serial Number: 75261844 Assignment Information Trademark Document Retrieval

Registration Number: 2160285

Mark (words only): WHATACHICK'N

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2008-05-28

Filing Date: 1997-03-24

Transformed into a National Application: No

Registration Date: 1998-05-26

Register: Principal

Law Office Assigned: LAW OFFICE 101

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2008-05-28

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. WHATABURGER PARTNERSHIP

Address:

WHATABURGER PARTNERSHIP
ONE WHATABURGER WAY
CORPUS CHRISTI, TX 78411
United States

Legal Entity Type: Partnership

State or Country Where Organized: Texas

GOODS AND/OR SERVICES

International Class: 030

Class Status: Active

chicken sandwich

Basis: 1(a)

First Use Date: 1984-01-01

First Use in Commerce Date: 1984-01-01

ADDITIONAL INFORMATION

Prior Registration Number(s):

652137

1116918

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2008-05-28 - First renewal 10 year

2008-05-28 - Section 8 (10-year) accepted/ Section 9 granted

2008-05-22 - Assigned To Paralegal

2008-05-19 - TEAS Section 8 & 9 Received

2007-10-24 - Assignment Of Ownership Not Updated Automatically

2007-08-14 - Case File In TIGRS

2004-07-08 - Section 8 (6-year) accepted & Section 15 acknowledged

2004-05-25 - Section 8 (6-year) and Section 15 Filed

1998-05-26 - Registered - Principal Register

1998-03-03 - Published for opposition

1998-01-30 - Notice of publication

1997-11-04 - Published for opposition

1997-10-03 - Notice of publication

1997-09-11 - Approved for Pub - Principal Register (Initial exam)

1997-09-04 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Christopher Kelly

Correspondent

Christopher Kelly

WILEY REIN LLP

1776 K STREET, N.W.

WASHINGTON DC 20006

Phone Number: 202-719-7000

Fax Number: 202-719-7049

EXHIBIT A-9

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-26 13:03:10 ET

Serial Number: 75674147 Assignment Information Trademark Document Retrieval

Registration Number: 2335590

Mark (words only): WHATABURGER

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2010-03-23

Filing Date: 1999-04-05

Transformed into a National Application: No

Registration Date: 2000-03-28

Register: Principal

Law Office Assigned: LAW OFFICE 109

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: (NOT AVAILABLE)

Date In Location: 2010-03-23

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Whataburger Partnership

Address:

Whataburger Partnership
300 Concord Plaza Drive
San Antonio, TX 78216
United States

Legal Entity Type: Partnership

State or Country Where Organized: Texas

GOODS AND/OR SERVICES

International Class: 042

Class Status: Active

restaurant services

Basis: 1(a)

First Use Date: 1950-01-01

First Use in Commerce Date: 1953-02-10

ADDITIONAL INFORMATION

Prior Registration Number(s):

1011927

1011928

1014196

2160285

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2010-03-23 - First renewal 10 year

2010-03-23 - Section 8 (10-year) accepted/ Section 9 granted

2010-03-22 - Case Assigned To Post Registration Paralegal

2010-03-11 - TEAS Section 8 & 9 Received

2007-10-24 - Assignment Of Ownership Not Updated Automatically

2005-10-21 - Section 8 (6-year) accepted & Section 15 acknowledged

2005-10-07 - Assigned To Paralegal

2005-09-07 - Section 8 (6-year) and Section 15 Filed

2005-09-07 - PAPER RECEIVED

2000-10-30 - Section 7 amendment filed

2000-03-28 - Registered - Principal Register

2000-01-04 - Published for opposition

1999-12-03 - Notice of publication

1999-09-24 - Approved for Pub - Principal Register (Initial exam)

1999-09-07 - Examiner's amendment mailed

1999-08-31 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

CHRISTOPHER KELLY

Correspondent

CHRISTOPHER KELLY

WILEY REIN L.L.P.

1776 K STREET, N.W.

WASHINGTON DC 20006

Phone Number: 202-719-7000

Fax Number: 202-719-7049

EXHIBIT A-10

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-26 13:03:50 ET

Serial Number: 75654525 Assignment Information Trademark Document Retrieval

Registration Number: 2372372

Mark (words only): WHATAKIDS

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2010-06-03

Filing Date: 1999-03-05

Transformed into a National Application: No

Registration Date: 2000-08-01

Register: Principal

Law Office Assigned: LAW OFFICE 111

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: (NOT AVAILABLE)

Date In Location: 2010-06-03

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. WHATABURGER PARTNERSHIP

Address:

WHATABURGER PARTNERSHIP
300 Concord Plaza Drive
San Antonio, TX 78216
United States

Legal Entity Type: Partnership

State or Country Where Organized: Texas

GOODS AND/OR SERVICES

International Class: 025

Class Status: Active

Clothing for children, namely, shirts, polo shirts, t-shirts, dresses, overalls, onesies, baseball caps and hats

Basis: 1(a)

First Use Date: 1998-11-00

First Use in Commerce Date: 1999-02-15

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2010-06-03 - First renewal 10 year

2010-06-03 - Section 8 (10-year) accepted/ Section 9 granted

2010-05-27 - Case Assigned To Post Registration Paralegal

2010-05-18 - TEAS Section 8 & 9 Received

2008-06-02 - Section 8 (6-year) accepted

2008-03-31 - TEAS Change Of Correspondence Received

2007-10-24 - Assignment Of Ownership Not Updated Automatically

2007-03-23 - Post Registration action mailed - Section 8

2007-02-01 - Section 8 (6-year) filed

2007-02-01 - TEAS Section 8 Received

2006-03-06 - Case File In TIGRS

2000-08-01 - Registered - Principal Register

2000-05-09 - Published for opposition

2000-04-08 - Notice of publication

2000-03-09 - Approved for Pub - Principal Register (Initial exam)

2000-02-22 - Communication received from applicant

1999-08-23 - Non-final action mailed

1999-08-16 - Assigned To Examiner

1999-08-10 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Christopher Kelly

Correspondent

Christopher Kelly

WILEY REIN LLP

Trademark Administration

1776 K Street, N.W.

WASHINGTON DC 20006

Phone Number: 202.719.7000

Fax Number: 202.719.7049

EXHIBIT A-11

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-26 13:04:37 ET

Serial Number: 75698642 Assignment Information Trademark Document Retrieval

Registration Number: 2418380

Mark (words only): WHATAGUY

Standard Character claim: No

Current Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Date of Status: 2008-03-14

Filing Date: 1999-05-06

Transformed into a National Application: No

Registration Date: 2001-01-02

Register: Principal

Law Office Assigned: LAW OFFICE 109

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2008-03-14

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. WHATABURGER PARTNERSHIP

Address:

WHATABURGER PARTNERSHIP
ONE WHATABURGER WAY
CORPUS CHRISTI, TX 78411
United States

Legal Entity Type: Partnership

State or Country Where Organized: Texas

GOODS AND/OR SERVICES

International Class: 042

Class Status: Active

restaurant services

Basis: 1(a)

First Use Date: 2000-01-01

First Use in Commerce Date: 2000-01-01

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2008-03-14 - Section 8 (6-year) accepted & Section 15 acknowledged

2007-11-09 - Response received to Post Registration action - Sections 8 & 15

2007-11-09 - PAPER RECEIVED

2007-10-24 - Assignment Of Ownership Not Updated Automatically

2007-07-31 - Post Registration action mailed Section 8 & 15

2007-07-23 - Assigned To Paralegal

2007-06-29 - Section 8 (6-year) and Section 15 Filed

2007-06-29 - TEAS Change Of Correspondence Received

2007-06-29 - TEAS Section 8 & 15 Received

2006-07-25 - Case File In TIGRS

2001-01-02 - Registered - Principal Register

2000-10-26 - Allowed for Registration - Principal Register (SOU accepted)

2000-10-26 - Assigned To Examiner

2000-10-20 - Assigned To Examiner

2000-10-12 - Statement Of Use Processing Complete
2000-08-04 - Use Amendment Filed
2000-03-28 - NOA Mailed - SOU Required From Applicant
2000-01-04 - Published for opposition
1999-12-03 - Notice of publication
1999-09-27 - Approved For Pub - Principal Register
1999-09-17 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Christopher Kelly

Correspondent

Christopher Kelly
Wiley Rein LLP
1776 K Street, N.W.
Washington DC 20006

EXHIBIT A-12

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-26 13:05:28 ET

Serial Number: 75647561 Assignment Information Trademark Document Retrieval

Registration Number: 2432191

Mark (words only): WHATAKIDS

Standard Character claim: No

Current Status: A Section 8 declaration has been accepted.

Date of Status: 2007-12-18

Filing Date: 1999-02-22

Transformed into a National Application: No

Registration Date: 2001-02-27

Register: Principal

Law Office Assigned: LAW OFFICE 111

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2007-12-18

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. WHATABURGER PARTNERSHIP

Address:

WHATABURGER PARTNERSHIP
ONE WHATABURGER WAY
CORPUS CHRISTI, TX 78411
United States

Legal Entity Type: Partnership

State or Country Where Organized: Texas

GOODS AND/OR SERVICES

International Class: 042

Class Status: Active

restaurant services

Basis: 1(a)

First Use Date: 1999-04-01

First Use in Commerce Date: 1999-04-01

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2008-03-31 - TEAS Change Of Correspondence Received

2007-12-18 - Section 8 (6-year) accepted

2007-10-24 - Assignment Of Ownership Not Updated Automatically

2007-10-16 - Response received to Post Registration action - Sections 8

2007-10-16 - PAPER RECEIVED

2007-03-16 - Post Registration action mailed - Section 8

2007-02-27 - Section 8 (6-year) filed

2007-02-27 - TEAS Section 8 Received

2006-11-27 - Case File In TICRS

2001-02-27 - Registered - Principal Register

2000-10-17 - Allowed for Registration - Principal Register (SOU accepted)

2000-10-17 - Assigned To Examiner

2000-10-16 - Assigned To Examiner

2000-10-11 - Statement Of Use Processing Complete

2000-08-04 - Use Amendment Filed
2000-02-15 - NOA Mailed - SOU Required From Applicant
1999-11-23 - Published for opposition
1999-10-22 - Notice of publication
1999-08-20 - Approved For Pub - Principal Register
1999-08-16 - Assigned To Examiner
1999-08-12 - Assigned To Examiner
1999-08-11 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

CHRISTOPHER KELLY

Correspondent

CHRISTOPHER KELLY
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1776 K Street, N.W.
Washington DC 20006
Phone Number: 202.719.7000
Fax Number: 202.719.7049

EXHIBIT A-13

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-26 13:06:06 ET

Serial Number: 76188399 Assignment Information Trademark Document Retrieval

Registration Number: 2519854

Mark (words only): WHATACOMIX

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2011-01-11

Filing Date: 2001-01-02

Transformed into a National Application: No

Registration Date: 2001-12-18

Register: Principal

Law Office Assigned: LAW OFFICE 106

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: (NOT AVAILABLE)

Date In Location: 2011-01-11

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. WHATABURGER PARTNERSHIP

Address:

WHATABURGER PARTNERSHIP
300 Concord Plaza Drive
San Antonio, TX 78216
United States

Legal Entity Type: Partnership

State or Country Where Organized: Texas

GOODS AND/OR SERVICES

International Class: 016

Class Status: Active

comic books and children's activity books

Basis: 1(a)

First Use Date: 2000-01-01

First Use in Commerce Date: 2000-01-01

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2011-01-11 - First renewal 10 year

2011-01-11 - Section 8 (10-year) accepted/ Section 9 granted

2011-01-04 - TEAS Section 8 & 9 Received

2008-03-01 - Section 8 (6-year) accepted & Section 15 acknowledged

2008-01-29 - Assigned To Paralegal

2008-01-23 - TEAS Section 8 & 15 Received

2007-10-24 - Assignment Of Ownership Not Updated Automatically

2006-12-29 - Case File In TIGRS

2001-12-18 - Registered - Principal Register

2001-09-25 - Published for opposition

2001-09-05 - Notice of publication

2001-06-18 - Approved for Pub - Principal Register (Initial exam)

2001-06-06 - Assigned To Examiner

2001-02-13 - Communication received from applicant

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Jeff A. McDaniel

Correspondent

Jeff A. McDaniel

DAFFER McDANIEL LLP

P.O. Box 684908

Austin TX 78768-4908

Phone Number: 512-476-1400

Fax Number: 512-703-1250

EXHIBIT A-14

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-26 13:06:50 ET

Serial Number: 75657290 Assignment Information Trademark Document Retrieval

Registration Number: 2534527

Mark (words only): WHATAPLACE! WHATATASTE!

Standard Character claim: No

Current Status: A Section 8 declaration has been accepted.

Date of Status: 2008-03-31

Filing Date: 1999-03-10

Transformed into a National Application: No

Registration Date: 2002-01-29

Register: Principal

Law Office Assigned: LAW OFFICE 108

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2008-03-31

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Whataburger Partnership, L.P.

Address:

Whataburger Partnership, L.P.
300 DELAWARE AVE, 9TH FL-DE-5403
WILMINGTON, DE 19801
United States

Legal Entity Type: Limited Partnership

State or Country Where Organized: Delaware

GOODS AND/OR SERVICES

International Class: 042

Class Status: Active
restaurant services

Basis: 1(a)

First Use Date: 1998-10-11

First Use in Commerce Date: 1998-10-11

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2008-03-31 - Section 8 (6-year) accepted

2008-03-17 - Response received to Post Registration action - Sections 8

2008-03-17 - PAPER RECEIVED

2008-02-07 - Post Registration action mailed - Section 8

2008-01-29 - Assigned To Paralegal

2008-01-23 - TEAS Section 8 Received

2007-10-24 - Assignment Of Ownership Not Updated Automatically

2007-04-11 - Case File In TIGRS

2002-01-29 - Registered - Principal Register

2001-08-30 - Allowed for Registration - Principal Register (SOU accepted)

2001-04-09 - Communication received from applicant

2000-10-18 - Non-final action mailed

2000-10-11 - Statement Of Use Processing Complete

2000-08-04 - Use Amendment Filed

2000-02-15 - NOA Mailed - SOU Required From Applicant

1999-11-16 - Published for opposition

1999-10-15 - Notice of publication

1999-08-27 - Approved For Pub - Principal Register

1999-08-13 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Christopher Kelly

Correspondent

Christopher Kelly

Wiley Rein LLP

1776 K Street, N.W.

Washington DC 20006

Phone Number: 202-719-7000

Fax Number: 202-719-7049



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Trademark Assignment Abstract of Title

Total Assignments: 4**Serial #:** [75657290](#)**Filing Dt:** 03/10/1999**Reg #:** [2534527](#)**Reg. Dt:** 01/29/2002**Registrant:** Whataburger, Inc.**Mark:** WHATAPLACE! WHATATASTE!**Assignment: 1****Reel/Frame:** [3641/0056](#)**Received:** 10/16/2007**Recorded:** 10/16/2007**Pages:** 6**Conveyance:** MERGER**Assignor:** [WHATAPARTNERSHIP, L.P.](#)**Exec Dt:** 09/22/2006**Entity Type:** LIMITED PARTNERSHIP**Citizenship:** DELAWARE**Entity Type:** CORPORATION**Citizenship:** TEXAS**Assignee:** [WHATABURGER, INC.](#)ONE WHATABURGER WAY
CORPUS CHRISTI, TEXAS 78411**Correspondent:** WILEY REIN LLP/CHRISTOPHER KELLY1776 K STREET, N.W.
TRADEMARK ADMINISTRATION
WASHINGTON, DC 20006**Assignment: 2****Reel/Frame:** [3641/0141](#)**Received:** 10/16/2007**Recorded:** 10/16/2007**Pages:** 14**Conveyance:** MERGER**Assignor:** [WHATABURGER, INC.](#)**Exec Dt:** 09/22/2006**Entity Type:** CORPORATION**Citizenship:** TEXAS**Entity Type:** PARTNERSHIP**Citizenship:** TEXAS**Assignee:** [WHATABURGER PARTNERSHIP](#)ONE WHATABURGER WAY
CORPUS CHRISTI, TEXAS 78411**Correspondent:** WILEY REIN LLP/CHRISTOPHER KELLY1776 K STREET, N.W.
TRADEMARK ADMINISTRATION
WASHINGTON, DC 20006**Assignment: 3****Reel/Frame:** [3640/0647](#)**Received:** 10/16/2007**Recorded:** 10/16/2007**Pages:** 5**Conveyance:** NUNC PRO TUNC ASSIGNMENT**Assignor:** [WHATABURGER, INC.](#)**Exec Dt:** 03/05/2007**Entity Type:** CORPORATION**Citizenship:** TEXAS**Entity Type:** CORPORATION**Citizenship:** DELAWARE**Assignee:** [W.T.C. HOLDINGS, INC.](#)300 DELAWARE AVENUE, 9TH FLOOR DE 5403
WILMINGTON, DELAWARE 19801**Correspondent:** WILEY REIN LLP/CHRISTOPHER KELLY1776 K STREET
TRADEMARK ADMINISTRATION
WASHINGTON, DC 20006**Assignment: 4****Reel/Frame:** [3640/0652](#)**Received:** 10/16/2007**Recorded:** 10/16/2007**Pages:** 5

Conveyance: NUNC PRO TUNC ASSIGNMENT

Assignor: W.T.C. HOLDINGS, INC.

Assignee: WHATA PARTNERSHIP, L.P.

300 DELAWARE AVENUE, 9TH FLOOR-DE 5403
WILMINGTON, DELAWARE 19801

Correspondent: WILEY REIN LLP/CHRISTOPHER KELLY

1776 K STREET, N.W.
TRADEMARK ADMINISTRATION
WASHINGTON, DC 20006

Exec Dt: 03/05/2007

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: LIMITED PARTNERSHIP

Citizenship: DELAWARE

Search Results as of: 01/26/2011 01:07 PM

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v.2.1
Web interface last modified: Apr 30, 2009 v.2.1

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EXHIBIT A-15

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-26 13:09:24 ET

Serial Number: 76332382 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 2757109

Mark (words only): WHATABURGER

Standard Character claim: No

Current Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Date of Status: 2009-03-05

Filing Date: 2001-10-31

Transformed into a National Application: No

Registration Date: 2003-08-26

Register: Principal

Law Office Assigned: LAW OFFICE 108

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2009-03-05

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Whataburger Partnership

Address:

Whataburger Partnership
One Whataburger Way
Corpus Christi, TX 78411
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Texas

GOODS AND/OR SERVICES

International Class: 036

Class Status: Active

Charitable fundraising services

Basis: 1(a)

First Use Date: 2001-10-05

First Use in Commerce Date: 2001-10-05

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2009-03-05 - Section 8 (6-year) accepted & Section 15 acknowledged

2009-03-04 - Assigned To Paralegal

2009-02-25 - TEAS Section 8 & 15 Received

2008-06-04 - Case File In TICRS

2007-10-24 - Assignment Of Ownership Not Updated Automatically

2003-08-26 - Registered - Principal Register

2003-06-19 - Allowed for Registration - Principal Register (SOU accepted)

2003-06-18 - Assigned To Examiner

2003-06-11 - Statement Of Use Processing Complete

2003-05-12 - Use Amendment Filed

2003-05-12 - PAPER RECEIVED

2003-01-07 - NOA Mailed - SOU Required From Applicant

2002-10-15 - Published for opposition

2002-09-25 - Notice of publication

2002-07-22 - Approved For Pub - Principal Register

2002-07-01 - Communication received from applicant

2002-07-01 - PAPER RECEIVED

2002-01-10 - Non-final action mailed

2002-01-08 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Christopher Kelly

Correspondent

Christopher Kelly

WILEY REIN LLP

1776 K STREET NW

WASHINGTON DC 20006

Phone Number: 202-719-7000

Fax Number: 202-719-7049

EXHIBIT A-16

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-26 13:10:06 ET

Serial Number: 76473190 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 2846139

Mark

WHATABLENDER

(words only): WHATABLENDER

Standard Character claim: Yes

Current Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Date of Status: 2010-08-13

Filing Date: 2002-12-06

Transformed into a National Application: No

Registration Date: 2004-05-25

Register: Principal

Law Office Assigned: LAW OFFICE 111

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: (NOT AVAILABLE)

Date In Location: 2010-10-06

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Whataburger Partnership

Address:

Whataburger Partnership
300 Concord Plaza Drive
San Antonio, TX 78216
United States

Legal Entity Type: Partnership
State or Country Where Organized: Texas

GOODS AND/OR SERVICES

International Class: 030
Class Status: Active
milk shake drinks, bases for milk shake drinks and candy flavored toppings therefor
Basis: 1(a)
First Use Date: 2002-09-04
First Use in Commerce Date: 2002-11-04

ADDITIONAL INFORMATION

Prior Registration Number(s):
1116918
2335590
2409945

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2010-08-13 - Section 8 (6-year) accepted & Section 15 acknowledged
2010-05-21 - Section 7 amendment filed
2010-08-13 - Section 7 amendment issued
2010-05-21 - TEAS Section 8 & 15 Received
2010-05-22 - Case Assigned To Post Registration Paralegal
2010-05-21 - TEAS Section 7 Request Received
2007-10-24 - Assignment Of Ownership Not Updated Automatically
2004-05-25 - Registered - Principal Register
2004-03-10 - Allowed for Registration - Principal Register (SOU accepted)
2004-03-10 - Assigned To Examiner

2004-03-09 - Statement Of Use Processing Complete
2004-02-13 - Use Amendment Filed
2004-02-13 - PAPER RECEIVED
2003-12-16 - NOA Mailed - SOU Required From Applicant
2003-09-23 - Published for opposition
2003-09-03 - Notice of publication
2003-07-29 - Approved For Pub - Principal Register
2003-07-09 - Communication received from applicant
2003-07-09 - PAPER RECEIVED
2003-05-01 - Non-final action mailed
2003-04-23 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Christopher Kelly

Correspondent

Christopher Kelly
WILEY REIN LLP
1776 K STREET, N.W.
WASHINGTON DC 20006
Phone Number: 202.719.7000
Fax Number: 202.719.7049

EXHIBIT A-17

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-26 13:10:43 ET

Serial Number: 76627124 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 3185230

Mark

WHATASIZE

(words only): WHATASIZE

Standard Character claim: Yes

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2006-12-19

Filing Date: 2005-01-07

Transformed into a National Application: No

Registration Date: 2006-12-19

Register: Principal

Law Office Assigned: LAW OFFICE 108

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-12-19

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. WhataPartnership, L.P.

Composed Of:

Whataburger Management, LLC, a Delaware limited liability company

Address:

WhataPartnership, L.P.
300 Delaware Avenue, Suite 900
Wilmington, DE 19801
United States

Legal Entity Type: Limited Partnership

State or Country Where Organized: Delaware

GOODS AND/OR SERVICES

International Class: 043

Class Status: Active

Restaurant services featuring a prepared meal containing french fries and a soft drink for consumption on or off the premises

Basis: 1(a)

First Use Date: 1998-00-00

First Use in Commerce Date: 1998-00-00

ADDITIONAL INFORMATION

Prior Registration Number(s):

1011927

1011928

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2007-10-24 - Assignment Of Ownership Not Updated Automatically

2006-12-19 - Registered - Principal Register

2006-10-03 - Published for opposition

2006-09-13 - Notice of publication

2006-08-08 - Law Office Publication Review Completed

2006-08-04 - Assigned To LIE

2006-07-31 - Approved for Pub - Principal Register (Initial exam)

2006-07-28 - Assigned To Examiner

2006-07-05 - Amendment From Applicant Entered
2006-06-22 - Communication received from applicant
2006-06-22 - PAPER RECEIVED
2005-12-22 - Non-final action mailed
2005-12-22 - Non-Final Action Written
2005-11-17 - Amendment From Applicant Entered
2005-11-03 - Communication received from applicant
2005-11-03 - PAPER RECEIVED
2005-08-24 - Non-final action mailed
2005-08-23 - Non-Final Action Written
2005-08-09 - Assigned To Examiner
2005-01-24 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

J. Timothy Hobbs

Correspondent

J. TIMOTHY HOBBS
WILEY REIN & FIELDING LLP
1776 K ST NW
WASHINGTON, DC 20006
Phone Number: 202.719.7000
Fax Number: 202.719.7049



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Trademark Assignment Abstract of Title

Total Assignments: 2

Serial #: [76627124](#)

Filing Dt: 01/07/2005

Reg #: [3185230](#)

Reg. Dt: 12/19/2006

Registrant: WhataPartnership, L.P.

Mark: WHATASIZE

Assignment: 1

Reel/Frame: [3641/0056](#)

Received: 10/16/2007

Recorded: 10/16/2007

Pages: 6

Conveyance: MERGER

Assignor: [WHATAPARTNERSHIP, L.P.](#)

Exec Dt: 09/22/2006

Entity Type: LIMITED PARTNERSHIP

Citizenship: DELAWARE

Entity Type: CORPORATION

Citizenship: TEXAS

Assignee: [WHATABURGER, INC.](#)ONE WHATABURGER WAY
CORPUS CHRISTI, TEXAS 78411

Correspondent: WILEY REIN LLP/CHRISTOPHER KELLY

1776 K STREET, N.W.
TRADEMARK ADMINISTRATION
WASHINGTON, DC 20006

Assignment: 2

Reel/Frame: [3641/0141](#)

Received: 10/16/2007

Recorded: 10/16/2007

Pages: 14

Conveyance: MERGER

Assignor: [WHATABURGER, INC.](#)

Exec Dt: 09/22/2006

Entity Type: CORPORATION

Citizenship: TEXAS

Entity Type: PARTNERSHIP

Citizenship: TEXAS

Assignee: [WHATABURGER PARTNERSHIP](#)ONE WHATABURGER WAY
CORPUS CHRISTI, TEXAS 78411

Correspondent: WILEY REIN LLP/CHRISTOPHER KELLY

1776 K STREET, N.W.
TRADEMARK ADMINISTRATION
WASHINGTON, DC 20006

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EXHIBIT A-18

Thank you for your request. Here are the latest results from the TARR web server.

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Serial Number: 78598999 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 3188132

Mark

WHATABURGER FIELD

(words only): WHATABURGER FIELD

Standard Character claim: Yes

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2006-12-19

Filing Date: 2005-03-31

Transformed into a National Application: No

Registration Date: 2006-12-19

Register: Principal

Law Office Assigned: LAW OFFICE 114

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-11-14

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. WhataPartnership, L.P.

Composed Of:

Whataburger Management, LLC

Address:

WhataPartnership, L.P.

300 Delaware Avenue, Suite 900

Wilmington, DE 19801

United States

Legal Entity Type: Limited Partnership**State or Country Where Organized:** Delaware

GOODS AND/OR SERVICES

International Class: 041**Class Status:** Active

providing stadium facilities for sporting events, exhibitions, conventions, community festival events and concerts

Basis: 1(a)**First Use Date:** 2005-04-06**First Use in Commerce Date:** 2005-04-06

ADDITIONAL INFORMATION

Disclaimer: "FIELD"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2007-10-24 - Assignment Of Ownership Not Updated Automatically

2006-12-19 - Registered - Principal Register

2006-11-12 - Law Office Registration Review Completed

2006-11-03 - Assigned To LIE

2006-10-26 - Allowed for Registration - Principal Register (SOU accepted)

2006-10-26 - Statement Of Use Processing Complete

2006-09-28 - Use Amendment Filed

2006-09-28 - TEAS Statement of Use Received
2006-03-28 - NOA Mailed - SOU Required From Applicant
2006-01-03 - Published for opposition
2005-12-14 - Notice of publication
2005-11-18 - Law Office Publication Review Completed
2005-10-28 - Assigned To LIE
2005-10-27 - Approved For Pub - Principal Register
2005-10-27 - Examiners amendment e-mailed
2005-10-27 - Examiners Amendment -Written
2005-10-27 - Assigned To Examiner
2005-04-06 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Christopher Kelly

Correspondent

CHRISTOPHER KELLY
WILEY REIN & FIELDING LLP
1776 K ST NW
WASHINGTON, DC 20006-2304
Phone Number: 202-719-7000
Fax Number: 202-719-7049



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Trademark Assignment Abstract of Title

Total Assignments: 2

Serial #: [78598999](#)

Filing Dt: 03/31/2005

Reg #: [3188132](#)

Reg. Dt: 12/19/2006

Registrant: WhataPartnership, L.P.

Mark: WHATABURGER FIELD

Assignment: 1

Reel/Frame: [3641/0056](#)

Received: 10/16/2007

Recorded: 10/16/2007

Pages: 6

Conveyance: MERGER

Assignor: [WHATAPARTNERSHIP, L.P.](#)

Exec Dt: 09/22/2006

Entity Type: LIMITED PARTNERSHIP

Citizenship: DELAWARE

Entity Type: CORPORATION

Citizenship: TEXAS

Assignee: [WHATABURGER, INC.](#)ONE WHATABURGER WAY
CORPUS CHRISTI, TEXAS 78411

Correspondent: WILEY REIN LLP/CHRISTOPHER KELLY

1776 K STREET, N.W.
TRADEMARK ADMINISTRATION
WASHINGTON, DC 20006

Assignment: 2

Reel/Frame: [3641/0141](#)

Received: 10/16/2007

Recorded: 10/16/2007

Pages: 14

Conveyance: MERGER

Assignor: [WHATABURGER, INC.](#)

Exec Dt: 09/22/2006

Entity Type: CORPORATION

Citizenship: TEXAS

Entity Type: PARTNERSHIP

Citizenship: TEXAS

Assignee: [WHATABURGER PARTNERSHIP](#)ONE WHATABURGER WAY
CORPUS CHRISTI, TEXAS 78411

Correspondent: WILEY REIN LLP/CHRISTOPHER KELLY

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WASHINGTON, DC 20006

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EXHIBIT A-19

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Serial Number: 78599894 Assignment Information

Trademark Document Retrieval

Registration Number: 3188136

Mark



(words only): WHATABURGER FIELD CORPUS CHRISTI

Standard Character claim: No

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2006-12-19

Filing Date: 2005-04-01

Transformed into a National Application: No

Registration Date: 2006-12-19

Register: Principal

Law Office Assigned: LAW OFFICE 114

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-11-14

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. WhataPartnership, L.P.

Composed Of:

Whataburger Management, LLC

Address:

WhataPartnership, L.P.

300 Delaware Avenue, Suite 900

Wilmington, DE 19801

United States

Legal Entity Type: Limited Partnership**State or Country Where Organized:** Delaware

GOODS AND/OR SERVICES

International Class: 041**Class Status:** Active

providing stadium facilities for sporting events, exhibitions, conventions, community festival events and concerts

Basis: 1(a)**First Use Date:** 2005-04-06**First Use in Commerce Date:** 2005-04-06

ADDITIONAL INFORMATION

Disclaimer: "FIELD CORPUS CHRISTI"**Design Search Code(s):****21.03.01** - Balls including playground balls, beach balls, billiard balls, tennis balls, bingo balls and lottery balls; Beach balls; Billiard balls; Bingo balls; Lottery balls; Paddle balls; Playground balls; Table tennis balls; Tennis balls**21.03.19** - Baseballs; Softballs**26.15.21** - Polygons that are completely or partially shaded**26.15.25** - Polygons with one or more curved sides**26.15.28** - Miscellaneous designs with overall polygon shape; Polygonal shapes (miscellaneous overall shape)**26.17.01** - Bands, straight; Bars, straight; Lines, straight; Straight line(s), band(s) or bar(s)**26.17.05** - Bands, horizontal; Bars, horizontal; Horizontal line(s), band(s) or bar(s); Lines, horizontal**26.17.12** - Angles (geometric); Chevrons

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

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2005-10-28 - Assigned To LIE
2005-10-28 - Examiner's amendment mailed
2005-10-27 - Approved For Pub - Principal Register
2005-10-27 - Examiners Amendment -Written
2005-10-27 - Assigned To Examiner
2005-04-07 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

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Trademark Assignment Abstract of Title

Total Assignments: 2

Serial #: [78599894](#)

Filing Dt: 04/01/2005

Reg #: [3188136](#)

Reg. Dt: 12/19/2006

Registrant: WhataPartnership, L.P.

Mark: WHATABURGER FIELD CORPUS CHRISTI

Assignment: 1

Reel/Frame: [3641/0056](#)

Received: 10/16/2007

Recorded: 10/16/2007

Pages: 6

Conveyance: MERGER

Assignor: [WHATAPARTNERSHIP, L.P.](#)

Exec Dt: 09/22/2006

Entity Type: LIMITED PARTNERSHIP

Citizenship: DELAWARE

Entity Type: CORPORATION

Citizenship: TEXAS

Assignee: [WHATABURGER, INC.](#)ONE WHATABURGER WAY
CORPUS CHRISTI, TEXAS 78411

Correspondent: WILEY REIN LLP/CHRISTOPHER KELLY

1776 K STREET, N.W.
TRADEMARK ADMINISTRATION
WASHINGTON, DC 20006

Assignment: 2

Reel/Frame: [3641/0141](#)

Received: 10/16/2007

Recorded: 10/16/2007

Pages: 14

Conveyance: MERGER

Assignor: [WHATABURGER, INC.](#)

Exec Dt: 09/22/2006

Entity Type: CORPORATION

Citizenship: TEXAS

Entity Type: PARTNERSHIP

Citizenship: TEXAS

Assignee: [WHATABURGER PARTNERSHIP](#)ONE WHATABURGER WAY
CORPUS CHRISTI, TEXAS 78411

Correspondent: WILEY REIN LLP/CHRISTOPHER KELLY

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